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Attorney for Defendants

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LARS JENSEN,

Plaintiff,

v.

NATALIE BROWN, et al.

Defendants.

Case No. 3:22-cv-00045-LRH-CLB

**ORDER GRANTING
STIPULATION TO EXTEND
DISCOVERY CUTOFF
(FIRST REQUEST)**

Pursuant to LR 26-3, Plaintiff and all Defendants, by and through their undersigned counsel, stipulate to extend the existing discovery cutoff by 180 days, extending the deadline from June 4, 2023 to December 4, 2023. Related deadlines would also be extended. The parties respectfully request that the Court so-order the same. This is the parties' first request to extend discovery, and the request is supported by good cause as detailed herein.

I. DISCOVERY COMPLETED TO DATE

- a) All parties have timely served initial disclosures.
- b) All parties have served Requests for Production of Documents and have timely served responses to the same.
- c) Plaintiff has produced 4,486 pages of documents.
- d) Defendants have produced 4,554 pages of documents.

II. DISCOVERY THAT REMAINS TO BE COMPLETED

- a) All parties anticipate production of additional documents responsive to the existing requests for production.

- b) All parties have yet to serve privilege logs.
- c) All parties have yet to conduct depositions.
- d) All parties have yet to disclose expert witnesses. At this time, Defendants do not intend to disclose an expert, unless in rebuttal to Plaintiff's expert. Plaintiff intends to disclose one or more experts.

III. REASONS WHY DISCOVERY IS NOT YET COMPLETE

The parties have actively worked on discovery and produced a substantial number of documents. However, this action presents a number of complex issues of constitutional law. In particular, several issues relating to First Amendment law are in dispute. On March 15, 2022, Defendants filed their Motion to Dismiss the First Amended Complaint (ECF No. 21). Defendants' Motion, and Plaintiff's Opposition to the same, address several of the constitutional principles at issue. The parties anticipate that the resolution of these questions may substantially change what is at issue in the case and may result in amended pleading. What is relevant for discovery may accordingly change. The parties agree that it is appropriate to extend the discovery period by 180 days to allow for resolution of the Motion to Dismiss and time to recalibrate and proceed with discovery based on the live issues in the case thereafter. In particular, the parties believe it would be most efficient to conduct depositions after resolution of the motion dismiss, which further necessitates extending the discovery cutoff.

In further support of the requested extension, the parties note that the Court previously "advise[d] that it is amenable to granting future extensions of discovery, if warranted." Minutes of Proceedings, June 8, 2022, at 2 (ECF No. 37).

The parties agree that the foregoing constitutes good cause for the extension requested herein and respectfully request that the Court enter this Stipulation as an Order.

To the extent extending the expert disclosure deadline requires a showing of excusable neglect, Plaintiff states as follows: Scheduling problems caused the delay in disclosure and this is Plaintiff's first delay. Defendant does not object to extension of the expert disclosure deadline.

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IV. PROPOSED SCHEDULE FOR COMPLETION OF DISCOVERY

<u>EVENT</u>	<u>EXISTING DEADLINE</u>	<u>PROPOSED NEW DEADLINE</u>
Expert Disclosures	April 6, 2023	October 3, 2023
Rebuttal Expert Disclosures	30 days after initial expert disclosure	30 days after initial expert disclosure
Discovery Cutoff	June 5, 2023	December 4, 2023
Dispositive Motions Filed	July 5, 2023	January 1, 2024
Joint Pre-Trial Order (unless dispositive motions filed)	August 4, 2023	January 31 2024

IT IS SO STIPULATED.

DATED May 15, 2023

DATED May 15, 2023

/s/ Kiah Beverly-Graham/s/ John M. Nolan

Kiah D. Beverly-Graham

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*Attorney for Defendants***ORDER****IT IS SO ORDERED.**


UNITED STATES MAGISTRATE JUDGE

DATED: May 15, 2023